

## REMARKS/ARGUMENTS

Claims 5-10, 12-16, and 18-21 are currently pending in the present patent application, with claims 3, 4, 11, and 17 having been cancelled through the above claim amendments. Claims 1, 2 and 22-37 have been withdrawn.

In a final Office Action mailed November 2, 2006, the Examiner rejected claims 3-21 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The previous rejections of the claims under Sections 102 and 103 have been withdrawn.

Claims 5-10, 12-16, and 18-21 have been amended pursuant to the Examiner's comments to more particularly point out and distinctly claim the desired subject matter. More specifically, claim 5 has been amended to address the Examiner's comments regarding "use of DNA strands" and "contacting" the first nanoelectrodes and the nanotubes. Claim 8 has also been amended to recite 8 the plurality of nanotubes are formed with an atomic force microscope (AFM). See paragraph 90. Amended claim 10 recites depositing on the nanotubes a benzyne molecule  $C_6H_4$  or a benzyne derivative containing an alkyl chain  $C_6H_3-R$ . See paragraph 93. Amended claim 21 recites contacting the nanotubes to second ends of the DNA strands comprises applying an orienting electric field between the nanoelectrodes the nanotubes to form amide bonds – CONH–. See paragraph 109. These amendments eliminate any prior deficiencies of these claims under the second paragraph of Section 112.

Pending claims 5-10, 12-16, and 18-21 satisfy the second paragraph of Section 112 and are thus in condition for allowance. It should also be noted that none of the amendments to these claims introduces any new matter into the application. Moreover, these amendments merely clarify the subject matter regarded by applicants as the invention and necessitate no new search by the Examiner or introduce any new issues into the prosecution of the present application.

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The present patent application is in condition for allowance. Favorable consideration and a Notice of Allowance are respectfully requested. Should the Examiner consider any of the claims not in condition for allowance, the undersigned requests the Examiner to contact the undersigned attorney at (425) 455-5575 to arrange for a telephone interview to discuss the outstanding issues. If the need for any fee is found, for any reason or at any point during the prosecution of this application, kindly consider this a petition therefore and charge any necessary fees to Deposit Account 07-1897.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

A handwritten signature in black ink, reading "Paul F. Rusyn". The signature is fluid and cursive, with the first name "Paul" and last name "Rusyn" clearly legible, and "F." as a small initial in the middle.

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Paul F. Rusyn  
Registration No. 42,118  
155 – 108<sup>th</sup> Avenue NE, Suite 350  
Bellevue, WA 98004-5973  
(425) 455-5575 Phone  
(425) 455-5575 Fax